

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for August 18, 2004 PLANNING COMMISSION MEETING

P.A.S.: Use Permit #117A - Horizon Business Center

PROPOSAL: To allow a ground sign location beyond requirements for the I-3 district.

MODIFICATION REQUEST: To allow a ground sign more than thirty feet from the building.

LAND AREA: 130.78 acres more or less. The lot in question is 2.10 acres, more or less

CONCLUSION: This would allow the permitted ground sign to be located in a more appropriate location, more than thirty feet from the building. This request is consistent with the intent of the sign requirements for the I-3 district and the Zoning Ordinance.

RECOMMENDATION:

1. Allow the ground sign location as shown.

Conditional
Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: A portion of Lots 9 I.T., 39 I.T., All of lots 38 I.T., 23 I.T., and lot 22 I.T., All located in Section 23, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska. Meets and bounds attached.

LOCATION: South 14th and Garrett Lane.

EXISTING ZONING: I-3 Employment Center District

EXISTING LAND USE: Bank

SURROUNDING LAND USE AND ZONING:

adjacent to this amendment

North:	I - 3	Office, Commercial
South:	I - 3	Office, Commercial
West:	I - 3	Office, Commercial
East:	B - 2	Commercial

HISTORY: UP#117 - Approved on September 17, 1999.

ANALYSIS:

1. The following signs are allowed in the I-3 district (27.69.081, paraphrased)
 - a. On-premise wall and projecting signs not exceeding 30% of wall coverage or 500 square feet in area per building facade, whichever is less,
 - b. One pedestrian marquee sign per entrance.....
 - c. Two on premise entrance ground signs, not exceeding 300 square feet in area.
 - d. One on premise ground sign for each free standing pad site building is allowed. Such sign shall not exceed fifty square feet in area and eight feet in height and **shall be located within thirty feet of the pad site building.**
 - e. Permitted wall sign may exceed five hundred feet.....
 - f. The sign regulations in **subsections (c) and (d) may be modified by the City Council.**
2. The plan submitted shows a 49.5 square foot, 8 foot high ground sign located at the entrance to the Security First Bank lot, and located 95' from the building.
3. A modification is requested under section 27.69.081 (f) to allow the sign to exceed the 30' distance up to the 95' shown. The 30' pad sign language was put in place in the ordinance to insure the sign was in proximity and related to the pad site. The 30' dimension came from a standard used by the state for distance of a commercial sign from the place of business. In this case, there is a distinct parcel both the business and sign are located on. The parking and layout dictate the requested sign location.
4. The sign location does not interfere with sight distance and is better located for visibility and function. It is outside of the required setbacks.
5. This affects only the Security First Bank parcel, Lot four, Horizon Business Center 3rd Addition.

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

- 1.1 Revise the site plan to add the note 10 symbol and “cloud” the location on the site plan.
2. This amendment approves modification to the sign requirement for the pad site ground sign to be located at 95' verses 30' from the pad site building.

General:

3. Before receiving building permits:
 - 3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies.
 - 3.2 The construction plans shall comply with the approved plans.

Standard:

4. The following conditions are applicable to all requests:
 - 4.1 Before installing the sign all development and construction shall have been completed in compliance with the approved plans.
 - 4.2 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 4.4 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.
5. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by:

Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov
Planner

August 4, 2004

**APPLICANT/
OWNER:**

Security First Bank
5710 S. 53rd Street
Lincoln, NE 68516 (402) 323-8011

CONTACT:

Susan Twiehaus
Security First Bank
5710 S. 53rd Street
Lincoln, NE 68516 (402) 323-8011



Use Permit #117A S. 14th & Pine Lake Rd.

2002 aerial

Zoning:

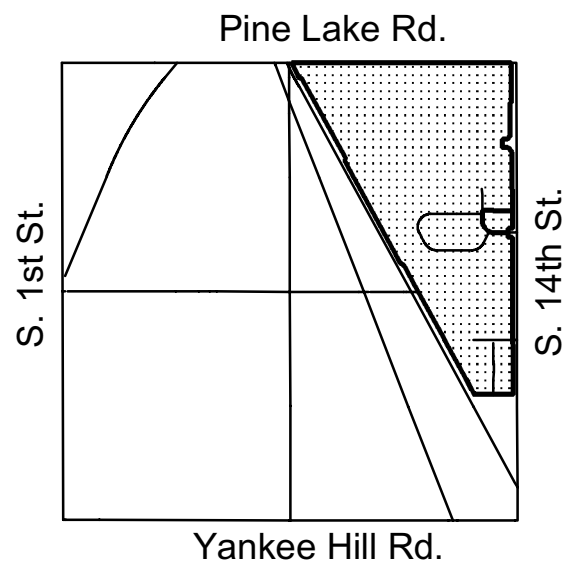
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 23 T9N R6E



Zoning Jurisdiction Lines

City Limit Jurisdiction



Lincoln City - Lancaster County Planning Dept.

LEGAL DESCRIPTION

A TRACT OF LAND COMPOSED OF A PORTION OF LOTS 9 I.T., 39 I.T., ALL OF LOTS 38 I.T., 23 I.T., AND LOT 22 I.T., ALL LOCATED IN SECTION 23, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A NORTHEAST CORNER OF SAID LOT 38 I.T., SAID POINT BEING ON THE SOUTH LINE OF LOT 7 I.T., AND THE TRUE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 00 MINUTES 02 SECONDS EAST, ALONG THE EAST LINE OF SAID LOTS 38 I.T. AND LOT 39 I.T., SAID LINE BEING 50' WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SECTION 23, A DISTANCE OF 2199.65' TO THE SOUTHEAST CORNER OF SAID LOT 39 I.T.; THENCE SOUTH 00 DEGREES 05 MINUTES 00 SECONDS EAST, ALONG THE EAST LINE OF SAID LOT 23 I.T., SAID LINE BEING 50' WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SECTION 23, A DISTANCE OF 548.35' TO THE SOUTHEAST CORNER OF SAID LOT 23 I.T.; THENCE SOUTH 89 DEGREES 59 MINUTES 53 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 22 I.T., A DISTANCE OF 16.98' TO THE NORTHEAST CORNER OF SAID LOT 22 I.T.; THENCE SOUTH 00 DEGREES 04 MINUTES 47 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 22 I.T., SAID LINE BEING 33' WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SECTION 23, A DISTANCE OF 637.99' TO THE SOUTHEAST CORNER OF SAID LOT 22 I.T.; THENCE SOUTH 89 DEGREES 55 MINUTES 48 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 22 I.T., A DISTANCE OF 462.43' TO THE SOUTHWEST CORNER OF SAID LOT 22 I.T.; THENCE NORTH 28 DEGREES 30 MINUTES 56 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 22 I.T., SAID LINE BEING THE EAST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, A DISTANCE OF 725.40' TO THE NORTHWEST CORNER OF SAID LOT 22 I.T., THENCE NORTH 28 DEGREES 30 MINUTES 24 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 23 I.T., SAID LINE BEING THE EAST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, A DISTANCE OF 630.92' TO THE NORTHWEST CORNER OF SAID LOT 23 I.T.; THENCE NORTH 28 DEGREES 30 MINUTES 42 SECONDS WEST, ALONG A WEST LINE OF SAID LOT 39 I.T., SAID LINE BEING THE EAST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, A DISTANCE OF 351.89' TO A POINT OF DEFLECTION; THENCE NORTH 47 DEGREES 51 MINUTES 05 SECONDS WEST, ALONG A WEST LINE OF LOT 39 I.T., SAID LINE BEING THE EAST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, A DISTANCE OF 75.63' TO A POINT OF DEFLECTION; THENCE NORTH 28 DEGREES 30 MINUTES 42 SECONDS WEST, ALONG A WEST LINE OF SAID LOT 39 I.T., AND LOT 9 I.T., SAID LINE BEING THE EAST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, A DISTANCE OF 1319.59' TO A POINT OF DEFLECTION; THENCE NORTH 14 DEGREES 07 MINUTES 38 SECONDS EAST, ALONG A WEST LINE OF SAID LOT 9 I.T., SAID LINE BEING THE EAST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, A DISTANCE OF 36.91' TO A POINT OF DEFLECTION; THENCE NORTH 28 DEGREES 30 MINUTES 42 SECONDS WEST, ALONG A WEST LINE OF SAID LOT 9 I.T., SAID LINE BEING THE EAST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, A DISTANCE OF 1062.35' TO A POINT OF DEFLECTION; THENCE SOUTH 61 DEGREES 29 MINUTES 18 SECONDS WEST, ALONG A WEST LINE OF SAID LOT 9 I.T., SAID LINE BEING THE EAST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, A DISTANCE OF 24.92' TO A POINT OF SPIRAL CURVATURE; THENCE ALONG A SPIRAL CURVE TO THE RIGHT, ALONG A WEST LINE OF SAID LOT 9 I.T., SAID LINE BEING THE EAST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RIGHT-OF-WAY, HAVING A CHORD BEARING OF NORTH 27 DEGREES 03 MINUTES 50 SECONDS WEST, A CHORD DISTANCE OF 207.09' A 'X' VALUE OF 207.03 AND A 'Y' VALUE OF 5.23 TO A NORTHWEST CORNER OF SAID LOT 9 I.T.; THENCE SOUTH 89 DEGREES 51 MINUTES 27 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 9 I.T., AND LOT 38 I.T., A DISTANCE OF 2369.36' TO A NORTHEAST CORNER OF SAID LOT 38 I.T.; THENCE SOUTH 00 DEGREES 00 MINUTES 12 SECONDS WEST, ALONG A EAST LINE OF SAID LOT 38 I.T., A DISTANCE OF 459.67' TO A POINT; THENCE SOUTH 89 DEGREES 44 MINUTES 04 SECONDS EAST, ALONG NORTH LINE OF SAID LOT 38 I.T., A DISTANCE OF 189.88' TO THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINS A CALCULATED AREA OF 130.78 ACRES, OR 5,697,102 SQUARE FEET, MORE OR LESS.



5710 South 53rd
Lincoln, NE 68516
402-323-8011
Fax: 402-323-8021

July 19, 2004

City of Lincoln
Planning Department
Mr. Marvin Krout – Director of Planning
555 South 10th Street
Lincoln, NE 68508

Dear Mr. Krout;

Security First Bank is making application to amend Use Permit #117 for the Horizon Business Center located south of Pine Lake Road and west of South 14th Street.

We are making application to allow locating a ground sign outside of the "30' of building pad site" requirement under the I-3 sign ordinance # 27.69.081 paragraph (d).

As part of this application we are providing: completed application form; \$740.00 application fee; Certificate of Ownership; twenty copies of the Horizon Business Center site plan revised by Olsson and Associates; twenty copies of the Landscape Plan revised by Savage Palandri Architects; and twenty copies of the sign sketch #04895A prepared by Nebraska Neon Sign Company.

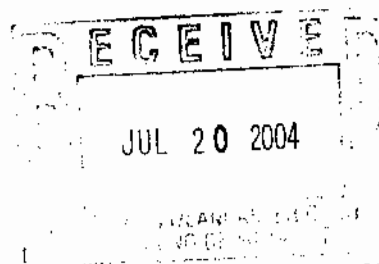
We feel that to properly identify our business and to help our customers find the entrance to our property, we need to locate our one allowed ground sign adjacent to our Garret Lane entrance. Due to the location of our building on the lot and the parking and drive-thru lane requirements, there is not any practical location for this sign that meets the "30' of building pad site" requirement. As you can see on the Landscape Plan, our proposed sign location is well behind both 50' set back and site triangle requirements. Our sign is designed to be an attractive addition to our landscaping and to architecturally connect to our new building. It also conforms to all height and square footage requirements.

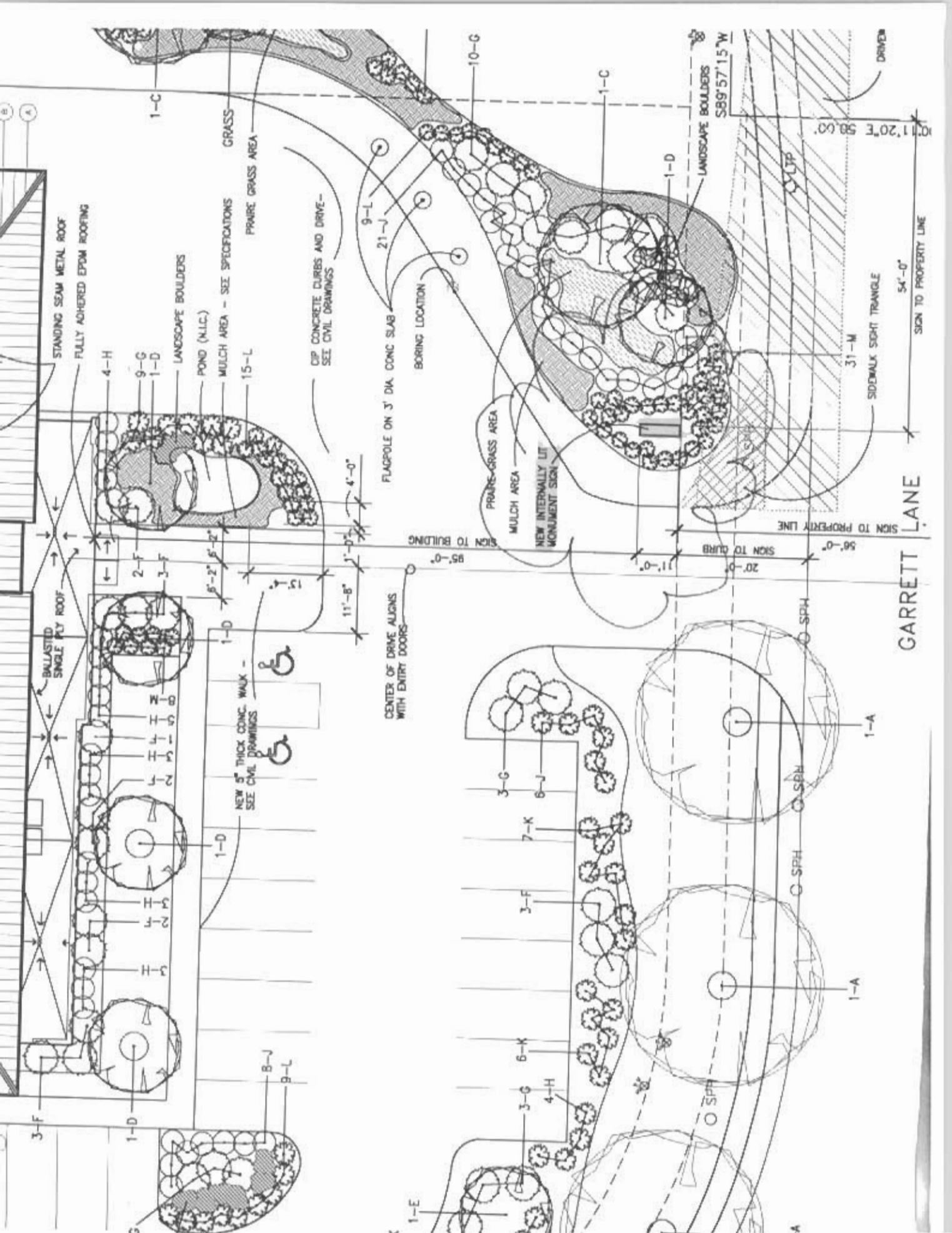
Thank you for your consideration of our application and feel free to contact me with any questions you may have.

Respectfully,

A handwritten signature in cursive script that reads 'Susan Twiehaus'.

Susan Twiehaus
Senior Vice President





9' - 0"

24"

31"

1/4"

1309
GARRETT
LANE


Security First Bank

BankWise.RealtyServices

11 1/2"

11 1/2"

37 1/2"

5' - 6"

8' - 0"

11 1/2"

7"

4"

15"

3"

3' - 0"

11' - 0"

DOUBLE FACE, INTERIOR ILLUMINATED, GROUND SIGN

CUSTOM FABRICATED ALUMINUM CABINET AND RETURNERS PRINTED

WITH FINE TEXTURED PAINT TO MATCH #255-89 "SANDSTONE" HF VINYL

FACES TO BE WHITE FURLED PLENGLAS

PRIMARY COPY, LOGO, AND RULE TO BE EMBOSSED

PRIMARY COPY AND RULE TO BE BLACK

LOGO TO MATCH #255-89 "EMERALD GREEN" TRANSLUCENT FILM

SECONDARY COPY TO BE BLACK F/5 MM

FLUORESCENT ILLUMINATION

FOOTING BRICK BASE COLUMN AND HIE-CAST CAPS TO MATCH BUILDING (B) OTHERS

FOOTING TO BE 8" WID. X 3" DEEP X 2" THICK

WHITE PVC INDIVIDUAL ADDRESS NUMBERS STILO MOUNTED FLUSH TO COLUMN

RECEIVED

JUL 20 2004

LINCOLN & COTYLANCASIA COUNTY
PLANNING DEPARTMENTCOMPUTER GENERATED DRAWING IS INTENDED TO BE AN APPROXIMATE
REPRESENTATION OF ACTUAL COLORS AND IMAGES

CLIENT	SECURITY FIRST	SALESPERSON	THOMPSON
ADDRESS	1309 GARRETT LN	ARTIST	SCHNEIDER
CITY	LINCOLN	SKETCH NO	GABBS A
STATE	NE	SCALE	1/2" = 1' - 0"
		DATE	3/25/04
			REVISED 4/15/04

HARD/COPY	X
SITE PLAN	
PHOTO	
CLIENT APPROVAL	
DATE	

This project is intended to be an approximate representation of actual colors and images. It is not intended to be a final design or construction document. It is not intended to be a final design or construction document. It is not intended to be a final design or construction document.

FILE SECURITY FIRST WITH

Nebraska Sign Company
1140 North 2nd Street Ph. (402) 476-6563
P.O. Box 80656 FAX. (402) 476-3461
Lincoln, Nebraska 68501

